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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	
Plaintiff,)	
)	
and)	
)	
STATE OF PENNSYLVANIA)	
CITY OF PHILADELPHIA)	CIVIL ACTION NO.
STATE OF OKLAHOMA)	
STATE OF OHIO)	
Plaintiff/Intervenors,)	NOTICE OF LODGING
)	OF CONSENT DECREE
)	
v.)	
)	
SUNOCO, INC.)	
Defendant,)	
)	

Pursuant to 28 C.F.R. § 50.7, the United States is lodging a Consent Decree with this Court that has been agreed to and signed by the parties to this action. The Consent Decree is being lodged simultaneously with the filing of the Complaint in this action, and the Consent Decree settles all of the claims alleged in the Complaint.

Under the terms of the proposed Consent Decree, Sunoco has agreed to install add-on control technologies and implement enhanced flaring, benzene, and leak detection and repair programs that will reduce emissions of nitrogen oxides, sulfur dioxide, and particulate matter from refinery process units (principally the fluidized catalytic cracking units and process heaters and boilers) consistent with best available control technology (“BACT”) standards and new source performance standards (“NSPS”) emissions limits. In addition, under the proposed Consent Decree, Sunoco will: adopt and implement other comprehensive, facility-wide programs for monitoring and controlling emissions of benzene and other volatile organic compounds. Sunoco will also install a redundant sulfur recovery plant with tail gas unit at its Toledo refinery.

For the resolution of the CAA claims, Sunoco will pay a civil penalty of \$3 million. The United States will collect \$1.5 million of that penalty; Pennsylvania, \$900,000; AMS, \$500,000, Oklahoma and Ohio will receive \$50,000 each. Sunoco also will perform Supplemental/Beneficial Environmental Projects in an amount of no less than \$3.9 million.

Notice of lodging of the Consent Decree will be published in the Federal Register. During the pendency of the 30-day public comment period required under 28 C.F.R. § 50.7 For the Consent Decree itself, no action is required of this Court. After the expiration of the public comment period and evaluation of the comments received, the

Court will be advised whether the Consent Decree may be entered or whether further action may be required.

Respectfully submitted,

FOR PLAINTIFF THE UNITED STATES
OF AMERICA:

Date: June 15, 2005

KELLY A. JOHNSON
Acting Assistant Attorney General
Environment and Natural Resources
Division
United States Department of Justice

Date: June 15, 2005

//S// Michael J. McNulty
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CERTIFICATE OF SERVICE

I hereby certify that I caused a copy of the foregoing **UNITED STATES' NOTICE OF LODGING [of] CONSENT DECREE and the CONSENT DECREE for UNITED STATES OF AMERICA, et al. v. SUNOCO, INC.** to be served to the parties and their counsel identified on the list below, via Federal Express Priority Delivery..

June 15, 2005

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